

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

This pleading applies to:

The case of Stephen Baron on Stephen Baron v. Pfizer Inc et al, 3:06-cv-07100-CRB

The case of Gardell Branch on Linda Lile et al v. Pfizer Inc et al, 3:06-cv-07518-CRB

The cases of Marilyn McCandles and Barbara Okey on Marilyn McCandles et al v. Pfizer Inc et al, 3:06-cv-07742-CRB

Dorothy Mansell, Otis Sexton, John Moore, Mary Hayden on Margaret Sturges et al v. Pfizer Inc. et al, 3:07-cv-00290-CRB

Harry Weir on Milton Rainbolt et al v. Pfizer Inc et al 3:07-cv-03062-CRB

Shirley Beck and Michael Petrus on Patsy Baker et al v. Pfizer Inc et al 3:07-cv-03211-CRB

Ella Wilson on Wayne Adamson et al v. Pfizer Inc et al, 3:07-cv-00288-CRB

**MDL :05-cv-01699 IN RE:
BEXTRA AND CELEBREX
MARKETING SALES
PRACTICES AND
PRODUCT LIABILITY
LITIGATION**

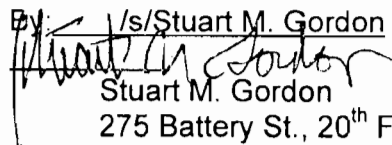
STIPULATED VOLUNTARY DISMISSAL WITHOUT PREJUDICE

IT IS HEREBY STIPULATED by and between the parties who have appeared in the above identified actions through their designated counsel that the cases against the Bextra/Celebrex defendants (Pfizer Inc, Monsanto Company, Pharmacia Corporation, and G.D. Searle LLC) brought by: (1) Stephen Baron on Stephen Baron v. Pfizer Inc et al, 3:06-cv-07100-CRB; (2) Gardell Branch on Linda Lile et al v. Pfizer Inc et al, 3:06-cv-07518-CRB ; (3) Marilyn McCandles and Barbara Okey on Marilyn McCandles et al v. Pfizer Inc et al, 3:06-cv-07742-CRB; (4) Dorothy Mansell, Otis Sexton, John Moore, Mary

Hayden on Margaret Sturges et al v. Pfizer Inc. et al, 3:07-cv-00290-CRB; (5) Harry Weir on Milton Rainbolt et al v. Pfizer Inc et al 3:07-cv-03062-CRB; (6) Shirley Beck and Michael Petrus on Patsy Baker et al v. Pfizer Inc et al 3:07-cv-03211-CRB; and (7) Ella Wilson on Wayne Adamson et al v. Pfizer Inc et al, 3:07-cv-00288-CRB are VOLUNTARILY DISMISSED WITHOUT PREJUDICE pursuant to Federal Rule of Civil Procedure 41(a)(1). Each side will bear its own costs. If plaintiffs so identified in the above style master are to refile their actions, plaintiffs can only do so in federal court. Plaintiffs cases in the above styled action remain pending against Merck for Vioxx-related injuries.

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ORDER

IT IS HEREBY ORDERED that, pursuant to the terms of the parties' stipulation,

(1) Stephen Baron's on Stephen Baron v. Pfizer Inc et al, 3:06-cv-07100-CRB; (2) Gardell Branch's on Linda Lile et al v. Pfizer Inc et al, 3:06-cv-07518-CRB ; (3) Marilyn McCandles' and Barbara Okey's on Marilyn McCandles et al v. Pfizer Inc et al, 3:06-cv-07742-CRB; (4) Dorothy Mansell's, Otis Sexton's, John Moore's, Mary Hayden's on Margaret Sturges et al v. Pfizer Inc. et al, 3:07-cv-00290-CRB; (5) Harry Weir's on Milton Rainbolt et al v. Pfizer Inc et al 3:07-cv-03062-CRB; (6) Shirley Beck's and Michael Petrus' on Patsy Baker et al v. Pfizer Inc

et al 3:07-cv-03211-CRB; and (7) Ella Wilson's on Wayne Adamson et al v. Pfizer Inc et al, 3:07-cv-00288-CRB claims against the Bextra/Celebrex defendants (Pfizer Inc, Monsanto Company, Pharmacia Corporation, and G.D. Searle LLC) are dismissed without prejudice.

SIGNED: October 19, 2007

